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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,403	12/21/2001	Lawrence R. Miller	72167-000570	2495
21967 7590 12/03/2008 HUNTON & WILLIAMS LLP INTELLECTUAL PROPERTY DEPARTMENT 1900 K STREET, N.W. SUITE 1200 WASHINGTON, DC 20006-1109				
EXAMINER PYZOCHA, MICHAEL J				
ART UNIT		PAPER NUMBER		
2437				
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12/03/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/026,403

**Applicant(s)**

MILLER ET AL.

**Examiner**

MICHAEL PYZOCHA

**Art Unit**

2437

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4, 6, 8-20, 23, 25 and 26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 8-20, 23, 25 and 26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-4, 6, 8-20, 23, 25, and 26 are pending.
2. Response filed 10/28/2008 has been received and considered.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 9-19, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Squier et al. (US 7188181) in view of Sampson et al. (US 6339423).

As per claims 9-13, 17, and 23, Squier et al. discloses inputting at a first system that grants session credentials based on successful authentication, a request from a client to access a protected resource on the first system, the protected resource on the first system being accessible by the client only after successful authentication of the client at the first system (see column 5 lines 54-63); determining at the first system that a client does not have a valid session credential granted by the first system (see column 5 line 64 through column 6 line 4); retrieving, at the first system, information from a session token held by the client, the information being retrieved from the client, the information corresponding to a session credential for the second system, the second system grants session credentials based on successful authentication at the second system and includes protected resources on the second system that is accessible by

the client, the protected resource on the second system being accessible by the client only after successful authentication of the client at the second system (see column 6 lines 4-15) the first system presenting at least some of the information from the session token to the second system; the first system inputting a determination from the second system that the client has a valid session credential with the second system; and the first system effecting successful authentication to the client so as to grant access to the protected resource on the first system, to the client based on the determination from the second system that the client has a valid session credential with the second system (see column 6 line 41 through column 7 line 5 see also figure 2) the first system inputting information from the second system and in response the first system outputting to the second system a determination that the first system has a valid session credential for the client at the first system; and the second system effecting successful authentication so as to grant access to the further protected resource on the second system to the client based on the determination from the first system that the client has a valid session credential with the first system (see column 6 lines 41-56 and column 8 lines 29-63 and column 9 lines 2-4).

Squier et al. discloses that the request and session information are sent at the same time (see column 5 lines 54-63), therefore fails to disclose the session information is retrieved from the client after determining that the client does not have valid session credentials.

However, Sampson et al. teaches sending a request to a server and the server determining that the client doesn't have valid session credentials and requesting a

session token from the client (see column 3 lines 34-43 where the data transmitted to the browser to go to the first server is a request to get a session token, i.e. cookies).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to request the client of Squier et al. to send a session token when it is determined that the client doesn't have valid session credentials.

Motivation to do so would have been to allow a user to obtain credentials to access a server when the user did not originally have the credentials (see Sampson et al. column 3 lines 34-43).

As per claim 14, the modified Squier et al. and Sampson et al. system discloses granting a session credential to the client by the first system, after determining that the client has a valid session credential granted by the second system (see Squier et al. column 6 lines 57-62).

As per claim 15, the modified Squier et al. and Sampson et al. system discloses maintaining the client session credential granted by the second system (see Squier et al. column 6 lines 57-64).

As per claims 16 and 19, the modified Squier et al. and Sampson et al. system discloses associating session credentials for the first system and the second system with the client (see Squier et al. column 6 lines 57-64).

As per claim 18, the modified Squier et al. and Sampson et al. system discloses granting the client session credentials for the first system (see Squier et al. column 6 lines 57-64).

5. Claims 1-4, 6, 8 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Squier et al. and Sampson et al. system in view of Howard et al. (US 6584505).

As per claims 1 and 20, the modified Squier et al. and Sampson et al. system discloses inputting at a first system that grants session credentials based on successful authentication, a request from a client to access a protected resource on the first system, the protected resource on the first system being accessible by the client only after successful authentication of the client at the first system (see Squier et al. column 5 lines 54-63); determining at the first system that a client does not have a valid session credential granted by the first system (see Squier et al. column 5 line 64 through column 6 line 4 and Sampson et al. column 3 lines 34-43); after the determining retrieving, at the first system, information from a session token held by the client, the information being retrieved from the client, the information corresponding to a session credential for the second system, the second system grants session credentials based on successful authentication at the second system and includes protected resources on the second system that is accessible by the client, the protected resource on the second system being accessible by the client only after successful authentication of the client at the second system (see Squier et al. column 6 lines 4-15 and Sampson et al. column 3 lines 34-43) the first system presenting at least some of the information from the session token to the second system; the first system inputting a determination from the second system that the client has a valid session credential with the second system; and the first system effecting successful authentication to the client so as to grant

access to the protected resource on the first system, to the client based on the determination from the second system that the client has a valid session credential with the second system (see Squier et al. column 6 line 41 through column 7 line 5 see also figure 2).

The modified Squier et al. and Sampson et al. system fails to disclose directing the client to the first system to establish a session credential based on successful authentication at the first system, after determining that the client does not have a valid session credential granted by the second system.

However, Howard et al. teaches such redirection (see column 6 lines 51-52 and column 8 lines 54-57).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to redirect the client to a different server upon failed authentication.

Motivation to do so would have been to allow the user to authenticate to a known server (see Howard et al. column 7 lines 52-65).

As per claim 2, the modified Squier et al., Sampson et al. and Howard et al. system discloses granting a session credential to the client by the first system, after determining that the client has a valid session credential granted by the second system (see Squier et al. column 6 lines 57-62).

As per claim 3, the modified Squier et al., Sampson et al. and Howard et al. system discloses sending a session token to the client, the token corresponding to a session credential granted by the first system (see Squier et al. column 6 lines 57-62).

As per claim 4, the modified Squier et al., Sampson et al. and Howard et al. system discloses a method comprising directing the client to the second system to establish a session credential based on successful authentication at the second system, after determining that the client does not have a valid session credential granted by the second system (see Squier et al. column 6 lines 30-40).

As per claim 6, the modified Squier et al., Sampson et al. and Howard et al. system discloses maintaining the client session credential granted by the second system (see Squier et al. column 6 lines 57-64).

As per claim 8, the modified Squier et al., Sampson et al. and Howard et al. system discloses retrieving information from the session token held by the client comprises: sending a query to the client from the first system, the query including identification as originating from a domain name corresponding to the second system; and receiving a response to the query (see Howard column 8, lines 8-11).

6. Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Squier et al. and Sampson et al. system as applied to claim 23 above, and further in view of Marks et al. (US 20010054059).

As per claims 25 and 26 the modified Squier et al. and Sampson et al. system fails to disclose that the protected resource is pay-per-use or subscription content.

However, Marks et al. teaches content of this type (see paragraph [0028]).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to protect pay-per-use and subscription content using the modified Squier et al. and Sampson et al. system.



Motivation to do so would have been that this type of content costs money and protecting them prevents free use of the content.

### ***Response to Arguments***

7. Applicant's arguments filed 10/28/2008 have been fully considered but they are not persuasive. Applicant argues that the motivation to combine Sampson with Squire is insufficient; such a modification would change the principle operation of Squire and the remaining references fail to cure this deficiency.

With respect to Applicant's argument that the motivation to combine Sampson with Squire is insufficient and such a modification would change the principle operation of Squire, the Squire system requires a user to send a request for a service with a session identifier thereby requiring that a user already have the session identifier (i.e. credentials). On the other hand Sampson allows a user to request a service without any credentials (i.e. session identifier or cookie) and when the first server determines that the request does not have any credentials for the first server it obtains credentials, from the client, which are from a different server to allow the user to access the first server. This provides the added benefit that the client can obtain credentials to access a server when the user did not originally have the credentials (as stated for motivation to combine). In other words this provides that a user does not have to permanently store the credentials because the user can retrieve them from the other server and only hold them long enough to send them to the first server. Furthermore, both Squire and Sampson teach methods of requesting a service from a server using session

information from a different server and it would be obvious to replace Squires' method of sending the session information together with the request with Sampson's method of sending the request separately from the session information because it would provide the predictable result of authenticating a user at a first server using session information from a second server. Additionally, it is clear that Squire and Sampson relate to similar methods with Sampson performing a step of Squire in multiple steps that would not change the principle operation of Squire.

Applicant's argument that the remaining references fail to cure the above mentioned deficiency is moot in view of the above response.

### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL PYZOSHA whose telephone number is (571)272-3875. The examiner can normally be reached on Monday-Thursday, 7:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. P./  
Examiner, Art Unit 2437

/Emmanuel L. Moise/  
Supervisory Patent Examiner, Art Unit 2437